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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3844 OF 2007

IN

FIRST APPEAL (ST) No. 16091 OF 2007

Shri Chandrakant Dehu Bhagat ...Applicant.

Vs.

The State of Maharashtra ...Respondents.

Mr. R.P. Lote for the applicant.

Mrs. Usha Kejariwal, AGP for the respondents.

CORAM : ANOOP V. MOHTA,J.

DATED : 4th September, 2007

P.C.

1. The appellant being aggrieved by the judgment dated 12th January, 2000 passed by the Additional District Judge, Raigad on the restricted ground of non-granting of solatium and interest amount so granted, moved an application under Section 152 of C.P.C.. However, by order dated 6th October, 2004 the learned Judge, dismissed the said application with observation that the appellant is at liberty to file Review Application.

2. The appellant, therefore, moved a Review application. The learned judge, however, by an order

dated 7th January, 2006 rejected the said review application.

3. The appellant, therefore, preferred the writ petition which was disposed of on 13th June, 2007 with observation to adopt appropriate proceedings in accordance with law.

4. The appellant, therefore, preferred the present first appeal, alongwith Civil Application for condonation of delay dated 19th July, 2007.

5. Considering the above facts and circumstances, wherein the appellant has moved from court to court for redressal of his grievance, therefore, without considering or making any observation on the merit of the matter, I am inclined to grant the application in terms of prayer clauses (a) and (b).

6. The Civil Application is disposed of accordingly.

7. Appeal be placed for admission after due registration.

(ANOOP V. MOHTA, J.)